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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/726,120
	Filing Date	Dec 2, 2003
	First Named Inventor	Horwitz, David James
	Art Unit	1772
	Examiner Name	Loney, Donald J.
Total Number of Pages in This Submission	Attorney Docket Number	DUR-16

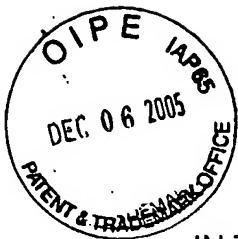
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Firm Name	J. Bennett Mullinax		
Signature	<i>J. Bennett Mullinax</i>		
Printed name	J. Bennett Mullinax		
Date	December 2, 2005	Reg. No.	36221

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PATENT

ATTORNEY DOCKET NO.: DUR-16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David Horwitz) Examiner: Loney, Donald J.
S/N: 10/726,120) Art Unit: 1772
Filed: 12/02/2003) Conf. No.: 3563
Title: Repairable Thermoplastic Article)

STATEMENT UNDER 37 CFR §1.97 ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

Mail Stop IDS
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Dear Sir:

Applicant hereby certifies that:

37 CFR §1.97(b)

/_/The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR §1.97(c)

/_/The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b) provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

- ☐ the statement specified in 37 CFR 1.97(e); OR
- ☐ the fee set forth in 37 CFR 1.17(p).

37 CFR §1.97 (d)

☐ /The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(d), and on or before payment of the issue fee, and is accompanied by the Statement as specified in 37 CFR 1.97(e) and the fee set forth in 37 CFR 1.17(p).

37 CFR §1.97(e)

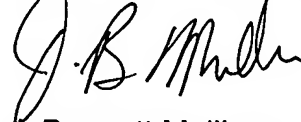
☒ /Statement under 37 CFR 1.97(e)(1) – Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

☐ / Statement under 37 CFR 1.97(e)(2) – No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersign person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

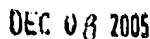
Please charge any additional fees required or credit any overpayments to
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Respectfully submitted,

J. BENNETT MULLINAX, LLC



J. Bennett Mullinax
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Substitute for form 1449/PTO

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Sheet		of
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Complete if Known

Application Number	10/726,120
Filing Date	12/02/2003
First Named Inventor	David J. Horwitz
Art Unit	1772
Examiner Name	Loney, Donald J.
Attorney Docket Number	DUR-16

U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

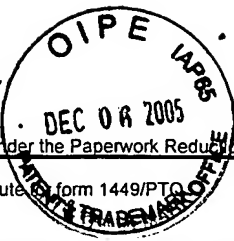
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449/PTO

Complete if Known**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Application Number	10/726,120
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First Named Inventor	David J. Horwitz
Art Unit	1772
Examiner Name	Loney, Donald J.
Attorney Docket Number	DUR-16

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		International Search Report, PCT/US04/40287, Washington, DC, 09/07/2005, 3 pp.	

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